

REMARKS

I. INTRODUCTION

Claims 1-14 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the pending claims are allowable.

II. CLAIM REJECTIONS - 35 U.S.C. § 102(e)

Claims 1, 3-6 and 8-14 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,205,485 to Kikinis ("Kikinis"). (*See* 04/04/07 Office Action, p. 2).

Claim 1 recites "receiving a signal (102) comprising a plurality of streams, each stream being associated with a channel on the receiving station (109) and comprising a content portion (103, 104, 105) and zero or more application portions (106, 107, 108)", "receiving a channel selection from the user", "displaying the content portion (103, 104, 105) of the stream associated with the selected channel," and "when execution of applications is enabled, executing an application present in the application portion (106, 107, 108), if any, of the stream associated with the selected channel, characterized in that execution of the application of the stream associated with the channel is disabled in response to the user selecting the channel, and execution of the application of the stream associated with the channel is enabled in response to the occurrence of an enabling event, indicating that the user is actively viewing the selected channel."

In contrast, Kikinis teaches a set-top box (STB) 121 receiver that receives data streams containing specially marked WEB pages with tags that convey commands for the STB to accomplish a number of unique functions. *See* Kikinis, col. 4, ll. 20-24, ll. 38-43. The Kikinis reference describes one type of tag which, when acted upon by the STB, allows for the display of

links from the WEB page on TV 122, the selection of such a link causing the TV to change channels. See Id., col. 4, ll. 44-47. According to Kikinis, the WEB page links can be any type of display indicia. See Id., col. 4, ll. 48-49. The Kikinis system utilizes an input apparatus such as an infrared remote controller for the user to select the links in a link program schedule matrix. See Id., col. 4, ll. 55-63. In response to the user selecting the link, the CPU of the STB 121 initiates the TV 122 tuner to switch the channel on which the selected program is broadcast. See Id., col. 4, ll. 63-65. In addition to providing streaming video previews, Kikinis also describes virtual 3D “ProgramScape,” which enables the user to view the content of their selected programming as representations of figurines in a 3D virtual environment. See Id., col. 6, ll. 22-32.

Unlike the claimed invention, Kikinis fails to teach or describe “when execution of applications is enabled, executing an application present in the application portion (106, 107, 108), if any, of the stream associated with the selected channel, characterized in that execution of the application of the stream associated with the channel is disabled in response to the user selecting the channel, and execution of the application of the stream associated with the channel is enabled in response to the occurrence of an enabling event, indicating that the user is actively viewing the selected channel,” as recited in claim 1. The system of Kikinis explicitly enables WEB link applications while the user selects the channel, and does not teach disabling the WEB applications until the user enables the WEB applications to be executed. According to Kikinis, once a user selects a WEB link, the CPU of the STB 121 seamlessly executes the WEB application and initiates the TV 122 tuner to switch the channel on which the selected program is broadcast. Kikinis’ seamless, simultaneous operation of both TV programming and WEB browsing results in STB execution of applications and downloads from WEB links that are not pertinent to the user’s viewing desires. Under an invention method according to the Kikinis reference, an STB cache will always be receiving WEB link data, even if the channel to which the data pertains is not the channel the viewer ultimately decides to view. Providing users the ability to disable and enable application streaming associated with a channel creates greater

operative control of the user's viewing experience and eliminates wasted CPU storage space of application stream data on the STB. The enabling and disabling features allow users to rapidly change channels and not incur the data storage costs of application stream data pertaining to channels that were merely glanced at by the user during use of their television sets. Therefore, the invention of Kikinis lacks any teaching or description regarding the disabling of WEB link applications until the user ultimately selects the channel, and thus, fails to provide the same level of operative control in television viewing as the claimed invention.

Applicant respectfully submits that because the Kikinis reference fails to teach or describe each and every element of the invention of claim 1, the claim is allowable and the rejection to the claim must be withdrawn. As claim 1 is allowable, claims 3-5 and 13, which depend on and therefore include all the limitations of, claim 1, must also be made allowable.

Claim 6 recites "a receiving unit (205) for receiving a signal (102) comprising a plurality of streams, each stream being associated with a channel on the receiving station (109) and comprising a content portion (103, 104, 105) and zero or more application portions (106, 107, 108)", "a selection unit (206) for receiving a channel selection from a user", "a display control unit (207) for displaying the content portion (103, 104, 105) of the stream associated with the selected channel," and "an execution unit (208) for determining if execution of applications is enabled, and if so, executing an application present in the application portion (106, 107, 108), if any, of the stream associated with the selected channel, characterized in that the execution unit (208) is arranged to disable execution of the application of the stream associated with the channel in response to the user selecting the channel and the execution unit (208) is arranged to enable execution of the application of the stream associated with the channel in response to the occurrence of an enabling event indicating that the user is actively viewing the selected channel."

Because claim 6 contains substantially the same limitations as claim 1, it is allowable for at least the same reasons as those argued above with respect to claim 1. Because

claims 8-10 and 14 depend on and therefore include all the limitations of, claim 6, these claims are also allowable.

Claim 11 recites “receiving a signal at a receiving station, the signal comprising a plurality of streams, a plurality of streams each being associated with a different respective channel of the receiving station, one or more streams comprising a respective application portions”, “receiving user input of a channel selection”, “displaying the content portion, if any, of the stream associated with the selected channel,” and “depending on a period of time without user input following the channel selection, executing an application present in the application portion, if any, of the stream associated with the selected channel.”

As argued above with respect to claims 1 and 6, the Kikinis reference, which only provides seamless application execution in conjunction with channel selection, fails to teach or describe “displaying the content portion, if any, of the stream associated with the selected channel and depending on a period of time without user input following the channel selection, executing an application present in the application portion, if any, of the stream associated with the selected channel,” recited in claim 11. Unlike the claimed invention, the Kikinis invention will immediately begin downloading application data to the STB CPU cache, and will not allow a user any period of time to decide whether or not the channel to which the application data pertains is the channel they wish to ultimately view. Because of this, the Kikinis reference still fails to provide the same level of operative control provided to users practicing the invention of claim 11 and is therefore inadequate to teach or describe each and every element thereof. Thus, claim 11 should be made allowable for at least these reasons cited above. Because claim 12 contains substantially the same limitations as claim 11, it should also be made allowable for at least the same reasons as those argued above with respect to claim 11.

Claims 2 and 7 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kikinis in view of United States Patent Application Publication 2002/0056086 by Yuen

("Yuen"). (See 04/04/07 Office Action, p. 4).

The Yuen reference teaches the monitoring of a user's channel change operations to infer program or commercial preferences, preferably without the user being aware that their interactions are being monitored for such purposes. See Yuen, p. 2, ¶¶ [0015]-[0016]. According to Yuen, user information is always being gathered such as the user's interaction with viewing entries selected for immediate viewing, future recording, and those selected for further information. See Id., p. 2, ¶ [0016]. The Yuen reference describes that the gathering of the user's information may be based on the time during which the user interacts with the schedule guide. See Id.

The Yuen reference lacks any teaching or description of the enabling and disabling of application streams and fails to cure the defects of the Kikinis reference. Like the invention of Kikinis, the Yuen invention constantly is gathering information regarding the user's interaction with a program schedule guide. Thus, for much the same reasons cited above with respect to Kikinis, the system storage of Yuen will be unduly burdened with application data that has nothing to do with the user's ultimate viewing preference. Thus, Yuen fails to teach or describe each and every element of the invention of claim 1.

Therefore, applicant respectfully submits that both Yuen and Kikinis, either alone or in combination, fail to teach or describe, "when execution of applications is enabled, executing an application present in the application portion (106, 107, 108), if any, of the stream associated with the selected channel, characterized in that execution of the application of the stream associated with the channel is disabled in response to the user selecting the channel, and execution of the application of the stream associated with the channel is enabled in response to the occurrence of an enabling event, indicating that the user is actively viewing the selected channel," as recited in claim 1. Therefore the Examiner's obviousness rejection to claim 1 must be withdrawn and claim 1 be made allowable. Because claim 2 depends from and therefore

includes all the limitations of, claim 1, this claim should also be made allowable. Because claim 6 recites substantially the same limitations as claim 1, claim 6 should also be made allowable for at least the same reasons cited above with respect to claim 1.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

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